

U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Anchorage Field Office
CATEGORICAL EXCLUSION (CX) FORM

CX No.: AK-040-05-CX-003

Lease/Serial/Case File No.: AA-81872

Proposed Action Title/Types: Assignment of Right-of-Way (Driveway)

Location of Proposed Action: W $\frac{1}{2}$ SE $\frac{1}{2}$ SW $\frac{1}{4}$, Section 14, T. 14 N., R. 1 W., Seward Meridian.

Description of Proposed Action: Mr. Eric Taylor and Ms. Frances Mann have applied for an assignment of a right-of-way (ROW) which provides access to their home. The ROW grant was issued to Mr. William Crouse on February 8, 2000, for a term of thirty (30) years. The driveway is thirty (30) feet wide and 2,600 feet in length. Upon Mr. Crouse's death the home for which the ROW grant was issued, was sold. The new owners want to acquire legal access. The grant will keep the expiration date and terminate in 2030.

Applicant (if any): Mr. Eric Taylor and Ms. Frances Mann

PART I - PLAN CONFORMANCE REVIEW

This Proposed Action is subject to the following land use plan: Southcentral Planning Area Management Framework Plan.

Date Plan Approved: March 1980

The Proposed Action has been reviewed for conformance with this plan (43 CFR 1610.5, BLM MS 1617.3).

Remarks: In the Management Framework Plan, Objective L-1 states BLM will "satisfy...needs demonstrated by the general public for entry...for the public lands." As this right-of-way will satisfy the need for access to a private home, this action is in conformance with the plan.

PART II - NEPA REVIEW

A. Categorical Exclusion Review.

This Proposed Action qualifies as a categorical exclusion under 516 DM 2, Appendix 1. or 516 DM 11.5 E. (9), *Renewals and assignments of leases, permits or rights-of-way where no additional rights are conveyed beyond those granted by the original authorization.*

B. Departmental List of Extraordinary Circumstances Review.

The following Departmental List of Extraordinary Circumstances apply to individual actions. Departmental instructions mandate that environmental documents MUST BE

PREPARED for actions which may: (Mark applicable answer for each item. If "yes", prepare an EA/EIS and append this form to it.)

- | | YES | NO |
|---|-----|----------|
| 1. Have significant adverse impacts on public health or safety. | ___ | <u>X</u> |
| 2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas. | ___ | <u>X</u> |
| 3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)]. | ___ | <u>X</u> |
| 4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks. | ___ | <u>X</u> |
| 5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects. | ___ | <u>X</u> |
| 6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects. | ___ | <u>X</u> |
| 7. Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the bureau or office. | ___ | <u>X</u> |
| 8. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species. | ___ | <u>X</u> |
| 9. Violate Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment. | ___ | <u>X</u> |
| 10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898). | ___ | <u>X</u> |

YES NO

11. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007). ____ X
12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112). ____ X

I certify that none of the Departmental Extraordinary Circumstances listed in the above Part B (516 DM 2, Appendix 2) apply to this action.

Remarks:

Preparer(s): /s/ Shirley Rackley Date: 11-19-04

PART III – DECISION

I have reviewed this plan conformance and NEPA compliance record and have determined that the proposed project is in conformance with the approved land use plan and that no further environmental analysis is required. It is my decision to implement the project, as described, with the mitigation measures either identified below or stipulation(s) attached in this case file.

Mitigation Measures/Other Remarks: See attached stipulations.

Authorized Official: /s/ Gary Reimer Date: 11-30-04